

[counsel listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03651 WHA

**JOINT UPDATE REGARDING ORDER  
RE ATTORNEY'S FEES AND COSTS  
FOR THIRD DAMAGES STUDY [DKT.  
NO. 705]**

Dept.: Courtroom 8, 19<sup>th</sup> Floor  
Judge: Hon. William Alsup

1 Pursuant to the Court's January 25, 2012 Order (Dkt. No. 705), the parties submit this  
2 update regarding payments in connection with Dr. Cockburn's third report. On March 13, 2012,  
3 Google sent an invoice to Oracle's counsel in connection with Dr. Cockburn's third report.  
4 Oracle is reviewing that invoice and acknowledges that, pursuant to the Court's orders (Dkt. 702,  
5 705), payment is due (pending any controversies regarding the amounts due) on March 27, 2012.  
6 As requested by the Court, the parties have been discussing Google's invoice and are actively  
7 seeking to avoid any controversies in connection with the invoice. The parties will notify the  
8 Court as soon as possible if any controversies arise that they cannot resolve in a timely manner.

1 Dated: March 16, 2012

KEKER & VAN NEST, LLP

2  
3 By: /s/ Robert A. Van Nest

4 ROBERT A. VAN NEST (SBN 84065)  
rvannest@kvn.com  
5 CHRISTA M. ANDERSON (SBN184325)  
canderson@kvn.com  
6 DANIEL PURCELL (SBN 191424)  
dpurcell@kvn.com  
7 710 Sansome Street  
San Francisco, CA 94111-1704  
Telephone: (415) 391-5400  
8 Facsimile: (415) 397-7188

9 SCOTT T. WEINGAERTNER (*Pro Hac Vice*)  
sweingaertner@kslaw.com  
10 ROBERT F. PERRY  
rperry@kslaw.com  
11 BRUCE W. BABER (*Pro Hac Vice*)  
bbaber@kslaw.com  
12 1185 Avenue of the Americas  
New York, NY 10036-4003  
13 Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

14 DONALD F. ZIMMER, JR. (SBN 112279)  
fzimmer@kslaw.com  
15 CHERYL A. SABNIS (SBN 224323)  
csabnis@kslaw.com  
16 KING & SPALDING LLP  
101 Second Street - Suite 2300  
17 San Francisco, CA 94105  
Telephone: (415) 318-1200  
18 Facsimile: (415) 318-1300

19 GREENBERG TRAURIG, LLP  
20 IAN C. BALLON (SBN 141819)  
ballon@gtlaw.com  
21 HEATHER MEEKER (SBN 172148)  
meekerh@gtlaw.com  
22 1900 University Avenue  
East Palo Alto, CA 94303  
23 Telephone: (650) 328-8500  
Facsimile: (650) 328-8508

24  
25 *Attorneys for Defendant*  
GOOGLE INC.

1 Dated: March 16, 2012

BOIES, SCHILLER & FLEXNER LLP

2  
3 By: /s/ Steven C. Holtzman

4 BOIES, SCHILLER & FLEXNER LLP  
5 DAVID BOIES (Admitted *Pro Hac Vice*)  
6 dboies@bsfllp.com  
7 333 Main Street  
8 Armonk, NY 10504  
9 Telephone: (914) 749-8200  
10 Facsimile: (914) 749-8300  
11 STEVEN C. HOLTZMAN (Bar No. 144177)  
12 sholtzman@bsfllp.com  
13 1999 Harrison St., Suite 900  
14 Oakland, CA 94612  
15 Telephone: (510) 874-1000  
16 Facsimile: (510) 874-1460

17 MORRISON & FOERSTER LLP  
18 MICHAEL A. JACOBS (Bar No. 111664)  
19 mjacobs@mofo.com  
20 KENNETH A. KUWAYTI (Bar No. 145384)  
21 kkuwayti@mofo.com  
22 MARC DAVID PETERS (Bar No. 211725)  
23 mdpeters@mofo.com  
24 DANIEL P. MUINO (Bar No. 209624)  
25 dmuino@mofo.com  
26 755 Page Mill Road  
27 Palo Alto, CA 94304-1018  
28 Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

ORACLE CORPORATION  
DORIAN DALEY (Bar No. 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (Bar No. 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (Bar No. 211600)  
matthew.sarboraria@oracle.com  
500 Oracle Parkway  
Redwood City, CA 94065  
Telephone: (650) 506-5200  
Facsimile: (650) 506-7114

Attorneys for Plaintiff  
ORACLE AMERICA, INC.

**ATTESTATION**

I, Robert A. Van Nest, am the ECF User whose ID and password are being used to file this JOINT UPDATE REGARDING ORDER RE ATTORNEY'S FEES AND COSTS FOR THIRD DAMAGES STUDY [DKT. NO. 705]. In compliance with General Order 45, X.B., I hereby attest that Steven C. Holtzman has concurred in this filing.

Date: March 16, 2012

/s/ Robert A. Van Nest